

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEVIN BRUNSTON,
 Plaintiff(s),

v.

GAUGHAN SOUTH LLC, et al.,
 Defendant(s).

Case No. 2:21-cv-01947-JAD-NJK

Order

[Docket No. 55]

Pending before the Court is a motion to excuse Defendant Chris Bianchi from participating in the settlement conference. Docket No. 55.¹

The motion provides no explanation as to why Defendant Bianchi would like to be excused from the settlement conference (e.g., whether he has a scheduling conflict). Moreover, insufficient explanation has been provided as to why a named defendant's absence from a settlement conference is appropriate. The Court requires named parties to attend settlement conferences for a variety of reasons, including the need for appropriate settlement authority and the need to hear from the parties as key witnesses to the alleged events. *See, e.g., HSBC Bank USA, N.A. v. Flamingo 316, LLC*, 2019 WL 2358391, at *3 n.7 (D. Nev. June 4, 2019). When a settlement is reached at a settlement conference, the Court also puts the terms of that settlement on the record with all parties present as a binding agreement between the parties. *See, e.g., Doi v. Halekulani Corp.*, 276 F.3d 1131, 1137-38 (9th Cir. 2002). Although the motion indicates that Defendant Bianchi's absence will not impair full settlement authority, the motion does not address whether his absence may otherwise impede the settlement conference.

¹ The complaint misidentifies this defendant as Chris Bianca. *See id.* at 1.

1 Accordingly, the motion to excuse Defendant Bianchi from the settlement conference is
2 **DENIED** without prejudice.

3 IT IS SO ORDERED.

4 Dated: February 7, 2023

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Nancy J. Koppe
United States Magistrate Judge
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